



Appl. No. 09/992,438  
Reply to Office Action of July 1, 2004

2182  
41

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of : Young, Bruce  
Appl. No. : 09/992,438  
Filed : November 16, 2001  
Art Unit : 2182  
Examiner : Peyton, Tammara R  
Title : MULTI-MODE SPEAKER OPERATING FROM  
EITHER DIGITAL OR ANALOG SOURCES  
Attorney Docket No. : GW P1820US00

RECEIVED

SEP 2 2 2004

Technology Center 2100

Mail Stop Amendment  
Honorable Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

AMENDMENT AND RESPONSE TO THE OFFICE ACTION DATED  
JULY 1, 2004

CERTIFICATE OF MAILING/TRANSMISSION (37 C.F.R. § 1.8)

I hereby certify that, on the date shown below, this correspondence is being:

MAILING

FACSIMILE

[ X ] deposited with the United States Postal Service  
with sufficient postage as first class mail in an  
envelope addressed to MS Amendment,  
Commissioner for Patents, P.O. Box 1450,  
Alexandria, VA 22313-1450.

[ ] transmitted by facsimile to the  
Patent and Trademark Office.

Penny L. Kint  
Penny L. Kint

Date: September 17, 2004

Sir:

This is in response to the third non-final Office Action dated July 1, 2004, for which the three month shortened statutory period for reply is set to expire on October 1, 2004. In this Response, Applicant has changed the number of independent claims from three (3) to seven (7) and has kept the total number of claims to twenty-three (23). Due to the net gain of four (4) independent claims, authorization to charge fees of \$344 has been submitted with this Response. While Applicant believes that no other fees for this Response are necessary, the Commissioner is hereby authorized to charge any additional fees which may be required for this Response, or credit any overpayment to Deposit Account No. 50-0439.

Please amend the above-identified application as follows:

**Amendments to the Claims** are reflected in the listing of claims which begins on page 3 of this paper.

**Amendment to the Drawing** begins on page 8 of this paper and includes one attached replacement sheet.

**Remarks/Arguments** begin on page 9 of this paper.

An **Appendix** including a replacement drawing figure is attached following page 10 of this paper.



2152  
cf

PATENT  
Attorney Docket N° P1820US00

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

RECEIVED

In re Application Of : Bruce Young  
Serial N° : 09/992,438  
Filed : November 16, 2001  
Group Art Unit : 2182  
Examiner : Tammara R. Peyton  
For : MULTI-MODE SPEAKER OPERATING FROM EITHER DIGITAL  
OR ANALOG SOURCES

SEP 22 2004

Technology Center 2100

MS Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

AMENDMENT TRANSMITTAL

---

CERTIFICATE OF MAILING/TRANSMISSION (37 C.F.R. § 1.8)

I hereby certify that, on the date shown below, this correspondence is being:

MAILING

FACSIMILE

[X] deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

[ ] transmitted by facsimile to the Patent and Trademark Office.

Penny L. Flint  
Penny L. Flint

DATED: September 17, 2004

AMENDMENT TRANSMITTAL

Please find transmitted herewith:

1. Amendment and Response to the Office Action dated July 1, 2004.
2. A duplicate copy of this transmittal, transmitted for accounting purposes only.

### FEE FOR EXCESS CLAIMS

The fee for claims (37 C.F.R. § 1.16 (b)-(d)) has been calculated as shown below:

Independent claims in excess of 3 added:	4 X \$86.00 = \$ 344.00
Total number of claims in excess of 20 added:	0 X \$18.00 = \$ 0.00
The total additional fee for claims required is :	<u>\$ 344.00</u>

### FEE PAYMENT

The Commissioner is authorized to charge Deposit Account N° 50-0439 for the amount of \$344.00. While it is believed that no additional extension of time or any other additional fees are necessary, the Commissioner is hereby authorized to grant any needed extension of time and to charge any additional fees which may be required for this Response, or credit any overpayment to Deposit Account N° 50-0439. A copy of this transmittal is enclosed for accounting purposes.

Please direct all correspondence to: **CUSTOMER NO. 32709**  
SEAN PATRICK SUITER  
SUITER • WEST PC LLO  
14301 FNB PARKWAY, SUITE 220  
OMAHA NE 68154-5299  
(402) 496-0300 (TELEPHONE)  
(402) 496-0333 (TELECOPIER)

DATE: September 17, 2004.

Respectfully Submitted,  
Gateway, Inc.,

By: 

Peng Zhu

Reg.N° 48,063

ATTACHMENTS:

1. *Response to Office Action dated July 1, 2004.*
2. Copy of this *Amendment Transmittal* for accounting purposes.
3. Return postcards.